

11 pages

Resolution No. 172

WHEREAS, this Board did on October 18, 1977 receive a petition requesting the zoning of an area located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, Township 5 North, Range 21 West, P.M.M., Ravalli County, Montana.

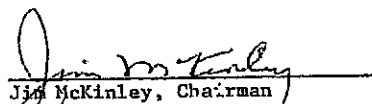
WHEREAS, the petition was signed by one hundred percent (100%) of the freeholders within such area, and thereafter public hearing was held, as required by law, by the Ravalli County Planning and Zoning Commission on November 17, 1977 and thereafter the Commission met again December 8, 1977 and again on February 9, 1978, at which time the petition was granted.

WHEREAS, Resolution No. 004 containing the provisions for regulations controlling the zoning of area petitioned for was passed and adopted by the Ravalli County Planning and Zoning Commission under date February 9, 1978.

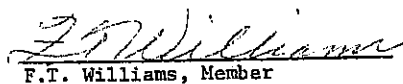
NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Ravalli County, Montana, do hereby approve and accept the recommendations of the County Planning and Zoning Commission and hereby the resolutions granting said petition for creation of Ravalli County Planning and Zoning District No. 9.

PASSED AND ADOPTED this 21st day of February, 1978.

BOARD OF COUNTY COMMISSIONERS
Ravalli County, Montana


Jim McKinley, Chairman


Hugh G. Cumming, Member


F.T. Williams, Member

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RESOLUTION NO. 004

BE IT RESOLVED, that whereas a petition was filed with the Board of County Commissioners of Ravalli County, Montana, for the creation of a Planning and Zoning District in an area within the boundaries described in said petition and shown on map submitted therewith, and,

WHEREAS, the petition was filed by one hundred percent of the freeholders within such area, and,

WHEREAS, the County Commissioners thereupon appointed a Planning and Zoning Commission in accordance with the provisions of Chapter 41, Title 16, R.C.M. 1947, as amended, and,

WHEREAS, the Planning and Zoning Commission thereafter, by order, directed that notice of a public hearing be given as required by law, and such notice was thereafter given and a public hearing held.

NOW THEREFORE, it is ordered and this does order that there is hereby created Ravalli County Planning and Zoning District No. 9, said district is more particularly described as follows:

W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, Township 5 North, Range 21 West, P.M.M., Ravalli County, Montana.

IT IS FURTHER ORDERED, and this does order, that the following shall govern the use of lands and structures within the Planning and Zoning District No. 9:

A. INTENT

This district recognizes the existence of rural areas that will come under pressure for residential development. This zone provides for a transitional low density residential district between urbanized areas and agricultural uses, as well as provides a zone that may be used to meet residential needs while limiting density to recognize environmental concerns. Planned unit developments and planned variations are encouraged to preserve agricultural land and to enhance environmental amenities found in rural areas.

B. SPACE AND BULK REQUIREMENTS

Maximum residential density.....One (1) dwelling per 2 $\frac{1}{2}$ acres.
Minimum yard - front.....Twenty-five (25) feet.
- side.....Fifteen (15) feet.
- rear.....Twenty-five (25) feet.
Maximum building height.....Thirty (30) feet.

C. PERMITTED USES

1. Single-family dwelling.
2. No mobile or modular homes.
3. Accessory buildings and uses.

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D. BUILDING REQUIREMENTS AND RESTRICTIONS:

1. Stream channels and ditches shall not be altered, and the natural scenic beauty including trees and shrubs, shall be preserved in accordance with approved conservation practices.
2. All improvements shall be of sound construction, erected in a good craftsmanlike manner of durable and good appearing materials.
3. All structures incidental to use of the land for agricultural purposes shall be maintained in good condition and repair; no shacks or delapidated structures shall be permitted.

E. SEVERABILITY:

If any provision herein is invalidated by judgment or court order, the remainder of the provisions herein contained shall remain in full force and effect.

ENFORCEMENT: Any use or feature in violation of these regulations is hereby found and declared to be unlawful and may be enforced as set out in subparagraphs I and II below.

- I. The Ravalli County Commissioners hereby assume responsibility for the enforcement of only those regulations set out in this subparagraph I. Such enforcement shall be discretionary with the Ravalli County Commissioners and shall be civil in nature. The cost of such enforcement shall be paid by Ravalli County. The regulations for which Ravalli County assumes responsibility for enforcement are as follows:

- B. Space and Bulk Requirements
- C. Permitted Uses

- II. Any interested person may bring any appropriate legal action for the enforcement of any of the regulations which apply to this Planning and Zoning District. The cost of such enforcement shall be borne by the person bringing the legal proceeding. Neither Ravalli County nor the Planning and Zoning District shall be responsible for any of the costs associated with any such enforcement proceeding undertaken pursuant to this subparagraph II.

PASSED AND ADOPTED this 9th day of February, 1978.

PLANNING AND ZONING COMMISSION

Jim McKinley
Jim McKinley, County Commissioner

Hugh G. Cumming
Hugh G. Cumming, County Commissioner

F.T. Williams
F.T. Williams, County Commissioner

R. David Schurian
R. David Schurian, County Surveyor

Cheryl A. Richards
Cheryl A. Richards, County Assessor

STATE OF MONTANA
COUNTY OF RAVALLI

} ss

This is to certify that I, Reba C. Falk, did post copies of Notice of Public Hearing on petition for creation of Planning and Zoning District for Scott J. Stewart, et al property, in the following places:

1. On sign (The Stewarts) post at entrance to the Scott Stewart property.
2. On the southeast corner fence post of Stewart and Ashcraft property.
3. On the southwest corner fence post of Stewart and Laves property.

Reba C. Falk
Reba C. Falk, Secretary
RAVALLI COUNTY COMMISSIONERS

Subscribed and sworn to before me this 2nd day of November, 1977.

Daniel E. Hughes
Notary Public for the State of Montana
Residing at Hamilton, Montana
My Commission Expires: April 1, 1980

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Notice of Public Hearing on Adoption of
Planning and Zoning District and Adoption of Development
Pattern Therefor

Notice is hereby given that a petition has been filed for the creation of a Planning and Zoning District in the area within the following boundaries to wit:

W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 5 North,
Range 21 West, P.M.M., Ravalli County, Montana.

Map of area is on file with said petition.

That pursuant to such petition, the Board of County Commissioners created and appointed a Planning and Zoning Commission. That the Planning and Zoning Commission will, on the 12th day of November, 1977, at the hour of 10:00 a.m. at the office of the County Commissioners in the Courthouse in Hamilton, Montana, hold a public hearing at which the Commission will consider:

1. The creation of a Planning and Zoning District within the boundaries aforesaid.
2. The adoption of a development pattern for said district and the building and use restriction to be made applicable thereto.

The Commission will consider the types of activity that may be conducted therein and the existing non-conforming uses which may be continued.

All persons affected by the proposed Planning and Zoning District will be given an opportunity to be heard; to contest or support the adoption of such development district by the Planning and Zoning Commission and the adoption of a development plan therefor.

BY ORDER OF THE PLANNING AND ZONING COMMISSION, dated the 26th
day of October, 1977.

Publish Nov 2, 1977

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RESOLUTION NO. 152

WHEREAS, a petition was duly filed with the Board of County Commissioners of Ravalli County, petitioning for the creation of a Planning and Zoning District in the area within the following boundaries to-wit:

W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, and the E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 15, Township 5 North, Range 21 West, P.M.M., Ravalli County, Montana.

Map of area is on file with said petition.

WHEREAS, it appears that one hundred percent of the freeholders affected thereby have signed said petition which is in due form.

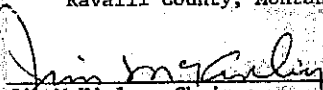
NOW, THEREFORE, it is ordered that a Planning and Zoning District, embracing the lands within the boundaries as aforesaid, is created.

IT IS FURTHER ORDERED that a Planning and Zoning Commission be created and the persons appointed thereon are: The County Commissioners of Ravalli County, being Jim McKinley, D.W. Galbraith, and Hugh G. Cumming; the County Assessor of Ravalli County, being Mrs. Cheryl A. Richards; the County Surveyor of Ravalli County, being R. David Schurian.

It is further ordered that the Planning and Zoning Commission proceed in accordance with the provisions of Title 16, Chapter 41, R.C.M., 1947, as revised.

Dated this 26th day of October, 1977.

BOARD OF COUNTY COMMISSIONERS
Ravalli County, Montana


Jim McKinley, Chairman


D.W. Galbraith, Commissioner


Hugh G. Cumming, Commissioner

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PETITION FOR ZONING DISTRICT

We, the undersigned, being the owners and freeholders of one hundred percent (100%) of the real property described and set forth in Exhibit "A" attached hereto, respectfully petition the Board of County Commissioners of Ravalli County, Montana, pursuant to the provisions of Title 16, Chapter 41 of the Revised Codes of Montana, 1947, to order and create a Planning and Zoning District for the area encompassed by and described in Exhibit "A" attached hereto, for the purpose of furthering the health, safety and general welfare of the people of Ravalli County.

Your Petitioners respectfully request that the Planning and Zoning Commission for said Planning and Zoning District make and adopt a development pattern for the physical and economic development of said district which will make the following provisions for the use of property within said district:

1. PRESENT USES:

- (a) Present agricultural and residential uses as of the date of this petition may be continuous, notwithstanding anything to the contrary hereinafter contained.

2. FUTURE USES:

- (a) No land shall be sold or conveyed which is less than 2½ acres in size.
- (b) Stream channels and ditches shall not be altered, and the natural, scenic beauty including trees and shrubs, shall be preserved in accordance with approved conservation practices.
- (c) No goats or swine shall be raised or maintained for commercial purposes on any tract.

3. BUILDING REQUIREMENTS AND RESTRICTIONS:

- (a) All improvements shall be of sound construction, erected in a good craftsmanlike manner of durable and good appearing materials.
- (b) All structures incidental to use of the land for agricultural purposes shall be maintained in

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good conditions and repair: no shacks or delapidated structures shall be permitted.

- (c) All structures shall be a minimum of 25 feet from the boundary line of the parcel on which they are constructed.

4. GENERAL PROVISIONS:

- (a) Owners of any tract hereby zoned shall comply with all state laws and regulations and county regulations as to sanitary restrictions.

5. SEVERABILITY:

- (a) If any provisions herein is invalidated by judgment or court order, the remainder of the provisions herein contained shall remain in full force and effect.

RESPECTFULLY SUBMITTED this 18th day of October, 1977.

OK Oka Stewart
Oka Stewart

OK Scott P. Stewart
Scott P. Stewart

OK Julia Stewart
Julia Stewart

OK Patricia M. Stewart
Patricia M. Stewart

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EXHIBIT "A"

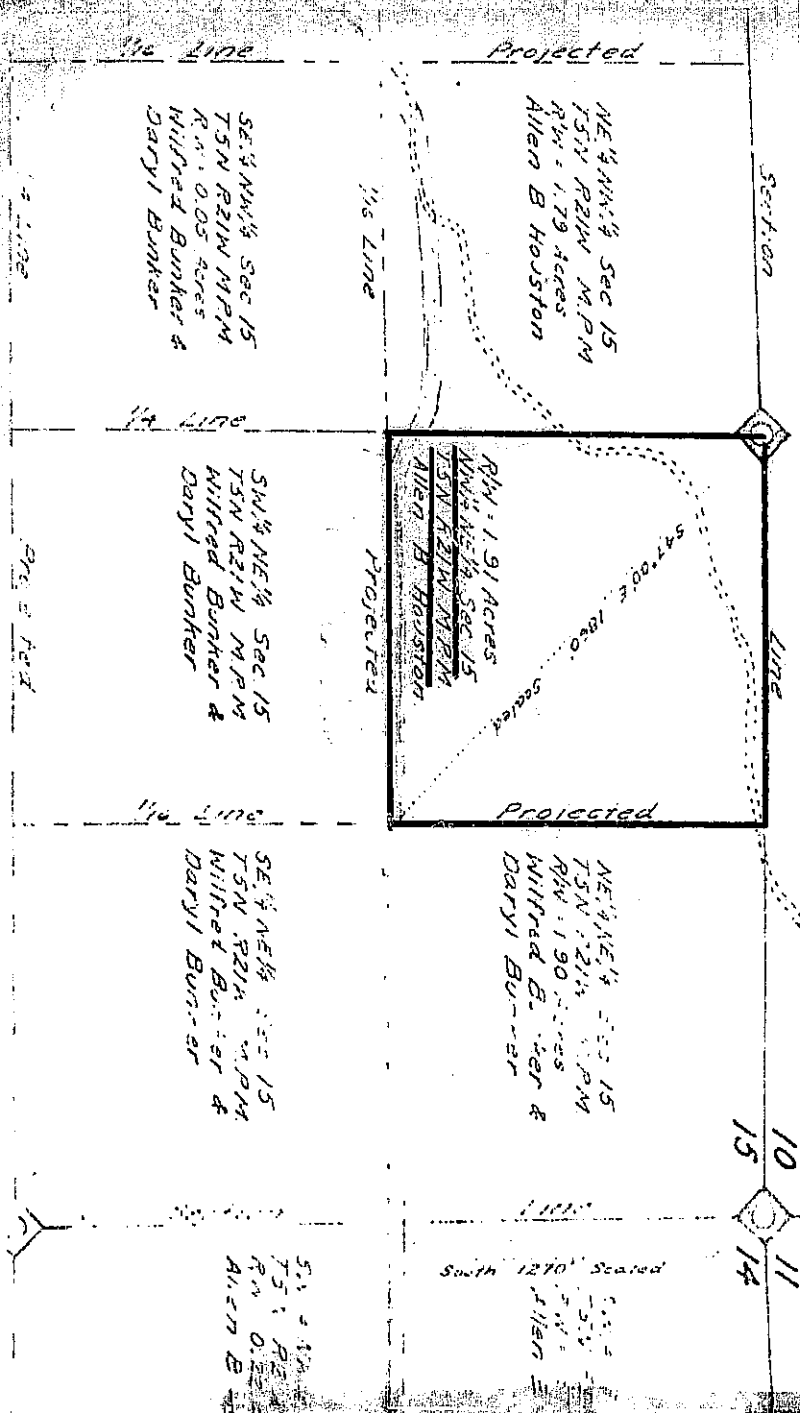
W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 5 North,
Range 21 West, P.M.M., Ravalli County, Montana.

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Scale ~ 1" = 500'

COMPILATION BY C-8 STEREOPLANIGRAPH
 1955

Draftsman: L M Powell -10-26-66



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I certify that I received and filed this
instrument on this 22nd
day of Feb, 1978, at 10:25
o'clock P.
Daniel E. Hughes
County Recorder
Me
Deputy